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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

IT IS HEREBY STIPULATED AND AGREED by MAURICE HOLMES, by and through his attorney, THOMAS A. ERICSSON, ESQ., of Oronoz & Ericsson LLC, and the UNITED STATES OF AMERICA, by and through KENNETH NICHOLAS PORTZ, ESQ., Assistant United States Attorney, to vacate the current Reply deadline for Defendant's Reply to Government's Opposition to Defendant's Motion to Suppress Evidence of July 7, 2022, and extend the deadline for seven (7) days, to Thursday, July 14, 2022. The request for a continuance is based upon the following:

1. Counsel for Defendant needs additional time to conduct investigation in this case in order to determine whether there are any pretrial issues that must be litigated.
  2. Defendant is in custody and does not object to the requested extension.
  3. Defense counsel for Maurice Holmes has spoken to Assistant United States Attorney Kenneth Nicholas Portz and the Government has no objection to the continuance.

- 1       4. Additionally, denial of this request for continuance could result in a  
2           miscarriage of justice.
- 3       5. The additional time requested herein is not sought for purposes of undue delay.
- 4       6. Additionally, denial of this request to extend pre-trial motion deadline could  
5           result in a miscarriage of justice. The additional time requested by this  
6           Stipulation is excludable in computing the time within which the trial herein  
7           must commence pursuant to the Speedy Trial Act, Title 18, United States  
8           Code, Section 3161(h)(7)(A), considering the factors under Title 18, United  
9           States Code, Section 3161(h)(7)(B)(i), (iv).

8           Dated: July 7, 2022

9           Respectfully submitted,

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12        */s/ Thomas A. Ericsson*  
13        Thomas A. Ericsson, Esq.  
14        ORONOZ & ERICSSON, LLC  
15        9900 Covington Cross Drive, Suite 290  
16        Las Vegas, Nevada 89144  
17        Attorney for Defendant Maurice Holmes

18           \_\_\_\_\_  
19        */s/ Kenneth Nicholas Portz*  
20        Kenneth Nicholas Portz, Esq.  
21        Assistant United States Attorney  
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23        Las Vegas, Nevada 89101  
24        Attorney for the United States of America

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, )  
Plaintiff, )  
vs. )  
MAURICE HOLMES, )  
Defendant. )  
CASE NO: 2:21-cr-00225-GMN-NJK  
**FINDINGS OF FACT, CONCLUSIONS  
OF LAW, AND ORDER**

Based on the pending Stipulation of counsel, and good cause appearing, therefore, the Court finds:

1. Counsel for Defendant needs additional time to conduct investigation in this case in order to determine whether there are any pretrial issues that must be litigated.
  2. Defendant is in custody and does not object to the requested extension.
  3. Defense counsel for Maurice Holmes has spoken to Assistant United States Attorney Kenneth Nicholas Portz, and the Government has no objection to the continuance.
  4. Additionally, denial of this request for continuance could result in a miscarriage of justice.
  5. The additional time requested herein is not sought for purposes of undue delay.
  6. Additionally, denial of this request to extend the pre-trial motion deadline could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States

Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

## **CONCLUSION OF LAW**

The ends of justice served by granting said continuance outweigh the best interests of the public and the defense in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the defendant sufficient time and the opportunity within which to be able to prepare effectively and thoroughly for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv).

## **ORDER**

IT IS THEREFORE ORDERED that the deadline to file Defendant's Reply to Government's Opposition to Defendant's Motion to Suppress Evidence of July 7, 2022, is vacated and continued until July 14, 2022.

DATED AND DONE this 8<sup>th</sup> day of July, 2022.

Nancy J. Koppe  
United States Magistrate Judge